How to Prepare for a Hearing/Conference: 
A Student’s Guide to the Resident Life Judicial Process

Introduction
You were referred to the Office of Rights & Responsibilities for alleged violations of the Residence Hall Rules and/or the Code of Student Conduct. You have had your Preliminary Interview (PI) during which a list of charges were given to you and explained. During the PI, you were also informed of how your case will be resolved: in a judicial board hearing or in a disciplinary conference. Within a few days, you will receive a notice telling you the date and time of your hearing or conference. You will receive this notice at least 3 days prior to your conference or 5 days prior to your hearing. If you failed to attend your PI, your conference or hearing will automatically be scheduled following the aforementioned guidelines for notification.

This document is designed to help you prepare for your hearing/conference. Read this document carefully. It will take you step by step through the Office of Rights & Responsibilities judicial process.

Before the Hearing/Conference

Before the hearing/conference, you should do the following:
1. Make sure you understand the charges against you.
3. Read each charge and make note of how it applies or does not apply to your case.
4. Consider your options for counsel. You are permitted to bring a private lawyer to act as legal counsel, a representative from the Student Legal Aid Office on campus, and/or you may bring a friend or relative to act as personal counsel for you.
5. Prepare your portion of the hearing/conference as thoroughly as possible.
6. Prepare your witnesses for the hearing/conference.
7. Review the Resident Life and University sanctions (also listed in Community Living) and be prepared to recommend appropriate sanctions along with a rationale for your recommendation, should you be found responsible.

Preparing Your Portion of the Hearing/Conference

Prior to the hearing/conference, you should gather as much information as you can regarding your case. Such information would include dates, times, places, names of those involved, and anything else you think would be important to the outcome of your case. It is also important to keep in mind that if you are found responsible for some/all of the charges, you will be asked to make a recommendation for sanctioning.

Preparing Your Witnesses

You may call witnesses to provide facts relevant to your case during the hearing/conference. Keep in mind: witness testimony should be relevant and not redundant. It is your responsibility to see that your witnesses attend the conference/hearing. However, if they are unable to attend, you may choose to have them write and sign a written statement to be presented at the hearing/conference. Any written statements must be notarized or signed in front of a University Staff member.

Hearings vs. Conferences

Cases which could result in termination from housing and/or suspension or expulsion from the University will normally be sent to a Judicial Board Hearing.

Cases which could result in termination from housing but a university sanction less than suspension will normally be sent to a Disciplinary Conference.

APPEALS ARE GRANTED ONLY FOR THOSE CASES THAT ARE RESOLVED IN A HEARING.

For more details, please review Community Living and the Code of Student Conduct or call the Rights & Responsibilities Office at 301-314-7598.
Resident Board hearings involve a Board Advisor, a panel of trained board members, the presenter of charges complainant, the student(s) charged respondent and his/her advisor attorney or student defender from the student legal aid office (if you choose), and witnesses for both parties. The hearing is closed to the public, and what occurs within the hearing is confidential. A recording is made of the hearing, and it is used for record-keeping purposes.

1. The hearing begins with the Board seated in front of a table with the case file (and recorder). The presenter of charges is on the other side of the table at one end and the respondent (and his/her representative) is on the other end.

2. Witnesses are excluded from the hearing and brought in only when being questioned.

3. The Presiding Officer, overseeing the board, reviews the procedures that will be followed, states the hearing is being tape recorded, and states the general and specific charges under consideration. A plea is entered for each charge by the student being charged (respondent).

4. The presenter of charges (complainant) makes an opening statement summarizing what he/she intends to prove/disprove during the hearing. The respondent makes an opening statement. The complainant gives a narrative account of the incident. The respondent gives a narrative account of the incident. The Board may ask clarifying questions regarding the narrative accounts. The complainant and respondent may also ask questions.

5. The complainant presents any witnesses. Each witness gives a narrative account of the incident. The Board and either party may question the witnesses.

6. The respondent presents witnesses. Each witness gives a narrative account of the incident. The Board and either party may question the witnesses.

7. Summary statements are presented by both the respondent and the complainant, in that order.

8. This concludes the presentation. All but the Board members and the Advisor leave the room and the Board members then determine whether the respondent is responsible or not responsible for the alleged violations of the Residence Hall Rules and/or the Code of Student Conducts.

9. If the Board reaches a determination of responsibility, a sanction hearing will normally follow immediately thereafter. During the sanction hearing the Board will entertain sanction recommendations from both the respondent and complainant. The respondent’s past record, if any, will be disclosed to the Board during the sanction hearing for consideration in making a sanction recommendation.

The decision, its rationale (from the facts presented), and any mitigating factors considered are all forwarded to the CD and the R&R Coordinator, who will inform the student in writing of the decision outcome, and (if necessary) appeal options. The findings of the hearing board are only recommendations to the CD and the R&R Coordinator, and they may be altered when viewed in conjunction with the resident’s past records; i.e., the recommendation and the sanction are usually, but not always, identical.

**Other Important Points**

- **If you fail to attend your hearing/conference**, a plea of responsible will be entered on your behalf.
- **We recommend arriving five to ten minutes before your hearing/conference and wearing neat, presentable clothing.**
- **If you remain silent** during your hearing, a negative inference may be made.

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